

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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GEORGE DOLLAR,

Plaintiff,

v.

LAS VEGAS METROPOLITAN POLICE
DEPARTMENT, *et al.*,

Defendants.

Case No. 2:15-cv-00712-APG-CWH

**ORDER ON REPORT AND
RECOMMENDATION**

(ECF. No. 2)

On February 7, 2017, Magistrate Judge Hoffman entered a report and recommendation that: (1) I dismiss with prejudice plaintiff George Dollar's Fourteenth Amendment claim against Defendants John Doe LVMPD Officers #1 and #2 in their individual capacities, (2) I dismiss without prejudice Dollar's official capacity claims against Defendants John Doe LVMPD Officers #1 and #2 and claims against the Sheriff, Mayor, and District Attorney; and (3) if Dollar does not amend, that the case proceed only on Dollar's Fourth Amendment unlawful arrest claim against John Doe LVMPD Officers #1 and #2 in their individual capacities. ECF No. 2. Dollar did not file an objection. Thus, I am not obligated to conduct a de novo review of the report and recommendation. 28 U.S.C. § 636(b)(1) (requiring district courts to "make a de novo determination of those portions of the report or specified proposed findings to which objection is made"); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc) ("the district judge must review the magistrate judge's findings and recommendations de novo *if objection is made*, but not otherwise" (emphasis in original)).

IT IS THEREFORE ORDERED that Judge Hoffman's report and recommendation (**ECF No. 2**) is **accepted**. Plaintiff George Dollar's Fourteenth Amendment claim against Defendants John Doe LVMPD Officers #1 and #2 in their individual capacities is dismissed with prejudice. Dollar's official capacity claims against Defendants John Doe LVMPD Officers #1 and #2 and his claims against the Sheriff, Mayor, and District Attorney are dismissed without prejudice.

1 Dollar's Fourth Amendment claim against John Doe LVMPD Officers #1 and #2 in their
2 individual capacities remains pending.

3 IT IS FURTHER ORDERED that plaintiff George Dollar may file an amended complaint
4 on or before March 31, 2017, if he can correct the deficiencies identified in Judge Hoffman's
5 report and recommendation. If Dollar does not amend, the case will proceed only on Dollar's
6 Fourth Amendment unlawful arrest claim against John Doe LVMPD Officers #1 and #2 in their
7 individual capacities

8 DATED this 1st day of March, 2017.

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13 ANDREW P. GORDON
14 UNITED STATES DISTRICT JUDGE
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